

Certificate of Notice Page 1 of 4
United States Bankruptcy Court
Eastern District of Pennsylvania

In re:
Omar Feliciano
Isanette Ayala
Debtors

Case No. 18-10933-mdc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: PaulP
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 12, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 14, 2020.

db/jdb +Omar Feliciano, Isanette Ayala, 800 Trenton Road, Apt 189, Langhorne, PA 19047-5610

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 14, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 12, 2020 at the address(es) listed below:

ANTHONY ST. JOSEPH on behalf of Creditor United States of America on Behalf of IRS
anthony.stjoseph@usdoj.gov, mardella.suarez@usdoj.gov, CaseView.ECF@usdoj.gov
CANDYCE I. SMITH-SKLAR on behalf of Joint Debtor Isanette Ayala mail@njpalaw.com,
r56958@notify.bestcase.com
CANDYCE I. SMITH-SKLAR on behalf of Debtor Omar Feliciano mail@njpalaw.com,
r56958@notify.bestcase.com
JIM PEAVLER on behalf of Creditor PA Dept of Revenue RA-occbankruptcy@state.pa.us,
RA-occbankruptcy6@state.pa.us
JOSHUA DOMER on behalf of Creditor City of Philadelphia joshua.domer@phila.gov,
karena.blaylock@phila.gov
KEITH D. SKLAR on behalf of Joint Debtor Isanette Ayala mail@njpalaw.com,
r56958@notify.bestcase.com
KEITH D. SKLAR on behalf of Debtor Omar Feliciano mail@njpalaw.com, r56958@notify.bestcase.com
KEVIN G. MCDONALD on behalf of Creditor Toyota Motor Credit Corporation
bkgroup@kmlawgroup.com
KEVIN G. MCDONALD on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com
REBECCA ANN SOLARZ on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov
WILLIAM C. MILLER, Esq. ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 12

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13
Omar Feliciano and Isanette Ayala, :
Debtors. : Bankruptcy No. 18-10933-MDC

ORDER

AND NOW, upon consideration of the Application for Compensation and Reimbursement of Expenses (the “Application”)¹ filed by Keith D. Sklar (the “Applicant”), counsel to the Debtors, by which the Applicant requests the allowance of compensation in the amount of \$6,037.50 and the reimbursement of expenses in the amount \$0.00.

AND, the Application states that the Applicant was paid \$1,440.00 by the Debtors prior to the filing of the petition (the “Pre-Paid Amount”).

AND, attached to the Application is a Disclosure of Compensation Pursuant to F.R.B.P. 2016(b) (the “Amended 2016(b) Statement”) disclosing that the Applicant agreed to accept \$6,037.50 for services to the Debtors, with \$1,440.00 having been paid prior to the filing of the Amended 2016(b) Statement.

AND, a Disclosure of Compensation Pursuant to F.R.B.P. 2016(b) (the “Original 2016(b) Statement”) was filed with the Debtors’ bankruptcy petition disclosing that the Applicant agreed to accept \$3,500.00 for services to the Debtors, with \$1,440.00 having been paid prior to the filing of the Original 2016(b) Statement.²

¹ Bankr. Docket No. 53.

² Bankr. Docket No. 1.

AND, upon the Applicant's certification that proper service has been made on all interested parties.

AND, upon the Applicant's certification of no response.

AND, the Court of Appeals having held that the bankruptcy court "has a duty to review fee applications, notwithstanding the absence of objections by the United States Trustee . . . , creditors, or any other interested party, a duty which . . . derives from the court's inherent obligation to monitor the debtor's estate and to serve the public interest." *In re Busy Beaver Bldg. Centers, Inc.*, 19 F.3d 833, 841 (3d Cir. 1994).

AND, the Applicant's request for compensation in the Application significantly exceeds the amount of \$3,500.00 disclosed by the Applicant's Original 2016(b) Statement.

AND, the Application fails to address the inconsistency between the Application and Amended 2016(b) Statement, on the one hand, and the Original 2016(b) Statement, on the other.

It is hereby **ORDERED** that:

1. A hearing shall be held on **March 12, 2020, at 11:30 a.m., in Bankruptcy Courtroom No. 2, U.S. Bankruptcy Court, 900 Market Street, Philadelphia, PA** (the "Show Cause Hearing"), to consider whether, pursuant to 11 U.S.C. §330(a)(2),

this Court should award compensation that is less than the amount of compensation that is requested.

2. At the hearing, the Applicant shall have the written retainer agreement with the Debtors available for review by the Court and parties in interest and shall be prepared to address the Court's concerns as set forth above.

3. The Applicant may appear telephonically, see L.B.R. 9076-1, if arrangements are made to provide the court with a copy of the written retainer agreement in advance of the hearing.

Dated: February 11, 2020



Magdeline D. Coleman
Chief U.S. Bankruptcy Judge

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Candyce I. Smith-Sklar, Esquire
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William C. Miller, Esquire
Chapter 13 Trustee
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United States Trustee
Custom House
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Philadelphia, PA 19106-2912